



New Hampshire Housing and Conservation Planning Program

Office of Energy and Planning, 57 Regional Drive, Concord, NH 03301
Voice: 603-271-2155, Fax: 603-271-2615, TDD Access: Relay NH 1-800-735-2964
www.nh.gov/oep/programs/HCPP/

ADVISORY BOARD MEETING
Monday, October 15 2007
Office of Energy and Planning
57 Regional Drive, Concord, NH

FINAL MINUTES

MEMBERS PRESENT OCTOBER 15, 2007

Maura Adams, The Jordan Institute, appointed by The Jordan Institute
Richard Ball, Cirtronics Corporation, appointed by Business and Industry Association of NH
Dean Christon, NH Housing Finance Authority, appointed by NH Housing Finance Authority
Jeffrey D. Gilbert, W.J.P. Development, LLC, appointed by NH Preservation Alliance
Chris Wells, Society for the Protection of NH Forests, appointed by Society for the Protection of NH Forests

OTHERS PRESENT

Jennifer Czysz, NH Office of Energy and Planning, appointed as program administrator

I. ROLL CALL AND INTRODUCTIONS

Mr. Christon called the meeting to order at 9:30 AM on October 15, 2007 at the NH Office of Energy and Planning, 57 Regional Drive, Concord, NH.

II. MINUTES

Due to a lack of quorum no action was taken on the October 1, 2007 minutes.

III. ADMINISTRATIVE RULES

The Advisory Board reviewed the draft administrative rules dated October 4, 2007 and distributed by email on that same date. Additionally, comments that Mr. Preece had emailed to Ms. Czysz from the regional planning commission executive directors on October 12, 2007 were distributed to all board members present and reviewed.

Notable decisions reached include:

- Pln 1002.02, *page 1* – Despite a request to allow for alternatives to HUD data for determining the area median income, it was unanimously agreed that the definitions should not be changed because the definition as written allows for consistency with the work of other housing advocacy and affordable housing development programs and to allow for alternatives would become unnecessarily complicated,.

The area median income definition is not used to determine HCPP grant allocations. The argument that one community's incomes may skew the data against another's favor, while valid, will not impact a community's ability to access HCPP funds. The sole purpose of defining area median income within the HCPP rules is to establish the meaning of "120% of the area median income" as stated in the definition of workforce housing.

- Pln 1002.03, *page 1* – It was debated whether the definition of a balance housing supply should state a sufficient number and variety of housing units to meet the needs of residents within the community (as currently written) or a fair share of those within the region. The argument for considering the greater region is that some communities tend to be more affluent than others and should those more affluent communities strive to provide greater affordable options within the community. While this is idealistic and communities are certainly encouraged to do so, it would not be well received in other communities if mandated and could possibly deter some applicants. All communities, regardless of how affluent they are, have some low-income households who should first be addressed in local planning before addressing households outside the community.
- Pln 1002.18, *page 2* – Conversation regarding the definition of "match" debated whether in-kind services could include contributions made by other organizations. Consensus was the definition as written is broad and would allow for contributions by other project partners.
- Pln 1005.05 (a), *page 6* – Email comments submitted by Mr. Preece noted that the maximum grant award for stage 1 was not sufficient to complete the required work. Board members requested that Ms. Czysz follow up with Mr. Preece to determine an alternate amount, requesting that he follow up with the State's RPC directors to gain consensus. If the consensus was \$25,000 or less, the Board members were comfortable with Ms. Czysz making the changes, a higher amount would require Board review and debate before approval. Ms. Czysz noted she had received cost information on the first two required data collection and mapping tasks listed for stage 1 grants. Ms. Adams noted that the average cost of a good build-out analysis would be about \$7,500. Ms. Czysz will follow up with staff in the State's Division of Historical Resources to determine an average cost of mapping historic resources.
- Pln 1006.01 (b), *page 6* – Revise the requirement so that the director shall give 60 rather than 30 days notice to communities.
- Pln 1006.02 (l), *page 8* – The Board debated the intent and possible misinterpretations of the application criteria requiring a description of the procurement process. The request that communities submit the fees associated with unselected technical assistance providers may be misinterpreted that OEP would question a community's decision or require them to go with a lower bidder. The intent of the criteria is to simply ensure transparency in the selection process and to understand what local policies are. Board members decided this statement should be reduced to read as follows: "Description of the technical assistance procurement process used to select the technical assistance provider."

Other notable decisions reached and not specifically attributable to a section of the rules include:

- Guidance materials and OEP's outreach process to applicants should stress that if applicants have already completed a portion of a stage's work, they do not need to redo the work and should show OEP any previous work completed to be considered during the application review.
- Guidance materials will need to clearly address how and at what level of detail communities are expected to evaluate housing and conservation the site, community, and regional level. It should be clear that while they study is at three levels it is a community level study that evaluates appropriate areas within the community for both development and conservation and does not consider the community in isolation from the greater regional area. A detailed study of multiple individual sites within the community nor a detailed study of the region are required.

- It was decided by Board members that OEP should avoid any processes that qualify, certify or promote individual technical assistance providers as it puts the State in an awkward position of evaluator. Additionally, to do so would require additional administrative rules beyond the scope of what has been prepared. OEP trusts that communities will select quality providers. Typically, those applicants that have selected a quality technical assistance provider will have a better application, and score higher than one without. Application guidance materials should be clear that if communities do not complete work as is required under a given stage, they will not be eligible for subsequent stages.
- OEP should provide a training session after announcing that applications are being accepted but before the due date to educate potential applicants and technical assistance providers on the program principles, available grant types, and the application process.
- During the first few grant cycles there may be some communities ready to apply for stage 3 or 4 grants that may or may not have completed their previous work strictly according to the HCPP staged process. If the applicant can demonstrate that they have completed the minimum requirements of each previous stage, regardless of the order completed or whether the work was done in conjunction with other work, they shall be eligible to apply for the latter grant stages. If however they have missed a required item, they should be encouraged to submit an application for the previous stage, complete the missing component and return for the next grant cycle 6 months later for the desired grant. No required items should be waived as all required items are essential to ensuring a holistic approach and desired outcomes that equally promote housing and conservation, where conservation includes both historic and natural resources.

The next step in the administrative rules process is for OEP to submit a request for fiscal impact statement. OEP would like to do so before October 24, 2007. Board members felt this was an appropriate and timely action and supported OEP in doing so before the next Board meeting with the understanding that the submission would not preclude future revisions to the draft. The Board members present felt it would be important to conclude the revision process at the October 29, 2007 meeting and would like to vote at that time to approve the draft rules. Board members encouraged Ms. Czysz to convey the importance of having a quorum at the October 29th meeting.

IV. MEETING SCHEDULE

The board members decided upon the following meeting schedule:

October 29, 2007:	3:00 PM to 4:30 PM – review progress / finalize rules discussion
November 26, 2007:	9:30AM to 11:30 AM – preparations for administrative rules public hearing
December 17, 2007:	6:00 PM to 7:00 PM – tentative public hearing date

All meetings will be held at the Office of Energy and Planning, 57 Regional Drive, Concord, NH, unless otherwise noticed.

V. ADJOURNMENT

The meeting adjourned at 11:00 AM.

Respectfully Submitted,

Jennifer Czysz, Senior Planner
Office of Energy and Planning

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